

Jan.30. 2004 5:09PM

Kubovcik and Kubovcik

No.0357

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P. 1

JAN 30 2004

PATENT
NON-FINAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

Appl. No. : 09/890,646

Confirmation No. 5225

Applicant : Shinichi AYABE et al.

Filed : August 2, 2001

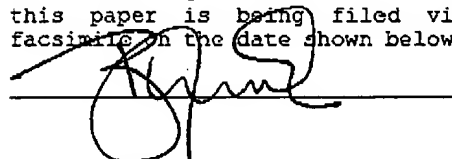
TC/A.U. : 1638

Examiner : R. Kallis

Dkt. No. : JKM-001

Cust. No. : 20374

The undersigned certifies that
this paper is being filed via
facsimile on the date shown below.



**REFILING OF RESPONSE (NON-FINAL) AND PETITION FOR
EXTENSION OF TIME FILED SEPTEMBER 15, 2003**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

January 30, 2004

Sir:

Submitted herewith is a copy of each of the following papers
filed in the United States Patent and Trademark Office (by hand-
carrying to the mail window) on September 15, 2003:

- (1) "RESPONSE UNDER 37 C.F.R. §1.111 TO THE OFFICE ACTION
DATED MARCH 13, 2003";
- (2) "PETITION FOR EXTENSION OF TIME";
- (3) Check No. 5619 for \$465.00 for 3-month extension of time
(small entity); and
- (4) Check No. 5620 for \$639.00 for excess claims.

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PATENT APPLN. NO. 09/890,646
RESPONSE UNDER 37 C.F.R. §1.111

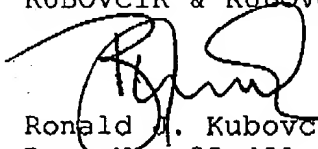
**PATENT
NON-FINAL**

Also submitted herewith is a copy of a "RECEIPT OF FILING OF PAPERS" identifying the response and showing the OIPE date stamp dated September 15, 2003, and a copy of the checking account statement of the firm of Kubovcik & Kubovcik showing that check Nos. 5619 and 5620 were paid on September 23, 2003.

These papers are being filed at the request of the Examiner in charge of this application, Russell Kallis. Examiner Kallis advised the undersigned that the papers filed September 15, 2003, have been lost.

Respectfully submitted,

KUBOVCIK & KUBOVCIK



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Kubovcik and Kubovcik

No.0357 P. 3

RD/BD
9/16/03
(DN)

RECEIPT OF FILING OF PAPERS

PATENT APPLICATION

Atty. Docket No. JKM-001

In re the application of:

Shinichi AYABE et al.

Group Art Unit: 1638

Serial Number: 09/890,646

Examiner: R. Kallis

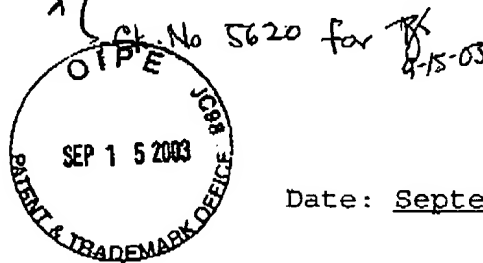
Filed: August 2, 2001

For: POLYNUCLEOTIDE ENCODING 2-HYDROXYISOFLAVANONE SYNTHASE

PAPERS FILED HERewith:

RESPONSE UNDER 37 C.F.R. § 1.111 TO THE
OFFICE ACTION DATED MARCH 13, 2003

(With Check No. 5619 for \$465.00 for
three-month extension of response period
and \$639.00 for 71 extra claims)



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Date: September 15, 2003

September
(Due: ~~June~~ 13, 2003)

KTK
9/15/03

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